

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L., a foreign entity;
MG FREESITES LTD, a foreign entity;
MINDGEEK USA INCORPORATED,
a Delaware corporation; MG
PREMIUM LTD, a foreign entity; MG
GLOBAL ENTERTAINMENT INC., a
Delaware corporation; 9219-1568
QUEBEC, INC., a foreign entity;
BERND BERGMAIR, a foreign
individual; FERAS ANTOON, a
foreign individual; DAVID
TASSILLO, a foreign individual; VISA
INC., a Delaware corporation;
REDWOOD CAPITAL
MANAGEMENT, LLC, a Delaware
limited liability company; REDWOOD
DOE FUNDS 1-7; COLBECK
CAPITAL MANAGEMENT, LLC, a
Delaware limited liability company;
COLBECK DOE FUNDS 1-3,

Defendants.

Case No. 2:24-cv-04786-WLH-ADS

[DISCOVERY DOCUMENT:
REFERRED TO MAGISTRATE
JUDGE AUTUMN D. SPAETH]

Judicial Officer: Wesley L. Hsu

**STIPULATED [PROPOSED] PRE-
TRIAL PROTECTIVE ORDER
AS TO THE IDENTITY OF
PLAINTIFF K.A.**

1 1. Plaintiff alleges she is a victim of child sex trafficking and child
2 pornography and commenced an action against Defendants in the above caption
3 under a pseudonym. Plaintiff seeks a protective order governing the circumstances
4 and terms by which her identity may be disclosed to and by Defendants to minimize
5 the potential for alleged harassment were her identity disclosed, and to avoid the
6 stigma and embarrassment that would accompany exposure of her identity beyond
7 what is necessary in this litigation. In a related case against MindGeek, this Court
8 recognized that a protective order would be an appropriate vehicle “to provide
9 Defendants’ counsel with their true identities if necessary in the litigation.” *Fleites*
10 *v. MindGeek S.A.R.L.*, 2021 WL 2766886, at *1 (C.D. Cal. June 28, 2021).

11 2. Counsel for Plaintiff shall provide to counsel for the Defendants the
12 Plaintiff’s name and alias names used at any time (as recalled by Plaintiff) (“True
13 Identity”) within 7 days of the entry of this Order.

14 3. The Parties, as well as their agents, employees, and assigns, and any
15 person or entity who has signed the agreement to be bound by this Protective Order
16 (Exhibit A), shall keep the True Identity of Plaintiff confidential during and after the
17 conclusion of this matter. The Parties reserve, however, all of their respective rights
18 in discovery, including to issue subpoenas, take depositions, and request information
19 and documents from or regarding any person who has knowledge of the creation,
20 posting or distribution of any videos or images relevant to Plaintiff’s allegations.
21 With that reservation, the Parties agree that they may only disclose Plaintiff’s True
22 Identity to the following:

23 A. The Parties to this litigation, including any employees, agents, and
24 representatives of the Parties as needed to litigate any claims or
25 defenses;

26 B. Counsel for the Parties and employees, agents, and representatives of
27 counsel as needed to litigate any claims or defenses;

28 C. The Court, and court personnel;

- 1 D. Any custodian of records, but only to the extent that Plaintiff's True
2 Identity will assist the custodian in obtaining and producing records
3 after signing the agreement to be bound by this Protective Order. If the
4 custodian of records or their counsel fails or refuses to sign that
5 agreement, the Parties shall meet and confer regarding the proposed
6 disclosure. Consent shall not be unreasonably withheld. If the Parties
7 fail to reach consent, they hereby agree that such dispute shall be
8 resolved pursuant to the Magistrate Judge's Informal Discovery Dispute
9 Resolution Process: [https://www.cacd.uscourts.gov/honorable-autumn-](https://www.cacd.uscourts.gov/honorable-autumn-d-spaeth)
10 [d-spaeth](https://www.cacd.uscourts.gov/honorable-autumn-d-spaeth);
- 11 E. Persons to whom disclosure is compelled by law, including (but not
12 limited to) by subpoena, warrant, or court order with 14 days prior
13 notice to all counsel of record for the Plaintiff, further before disclosure
14 is made Defendants will advise the requesting party of this Order and
15 request that they sign the agreement to be bound by this Protective
16 Order;
- 17 F. Persons to whom disclosure is necessary in order for Defendants to
18 obtain relevant discovery or otherwise prepare a good-faith defense,
19 after signing the agreement to be bound by this Protective Order. If
20 such person(s) or their counsel fails or refuses to sign that agreement,
21 the Parties shall meet and confer regarding the proposed disclosure.
22 Consent shall not be unreasonably withheld. If the Parties fail to reach
23 consent, they hereby agree that such dispute shall be resolved pursuant
24 to the Magistrate Judge's Informal Discovery Dispute Resolution
25 Process: <https://www.cacd.uscourts.gov/honorable-autumn-d-spaeth>;
- 26 G. Independent providers of document reproduction, electronic discovery,
27 or other litigation services retained or employed specifically in
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1 connection with this litigation, after signing the agreement to be bound
2 by this Protective Order;

3 H. Court reporters, recorders, and videographers engaged for depositions,
4 after signing the agreement to be bound by this Protective Order;

5 I. Any mediator appointed by the Court or jointly selected by the Parties,
6 after signing the agreement to be bound by this Protective Order;

7 J. Any expert witness, outside consultant, or investigator retained
8 specifically in connection with this litigation, after signing the
9 agreement to be bound by this Protective Order;

10 K. Any deponent or fact witness and their counsel, after signing the
11 agreement to be bound by this Protective Order— subject to disclosure
12 occurring no earlier than 15 days prior to the noticed deposition date or
13 date of trial testimony. If the deponent or fact witness or their counsel
14 fails or refuses to sign that agreement, the Parties shall meet and confer
15 regarding the proposed disclosure. Consent shall not be unreasonably
16 withheld. If the Parties fail to reach consent, they hereby agree that such
17 dispute shall be resolved pursuant to the Magistrate Judge’s Informal
18 Discovery Dispute Resolution Process:

19 <https://www.cacd.uscourts.gov/honorable-autumn-d-spaeth>;

20 L. Government agencies and agency personnel, including law enforcement
21 and law enforcement personnel, but only to the extent that the
22 disclosure of Plaintiff’s True Identity is necessary to litigate any claims
23 or defenses or to comply with any applicable legal obligations or
24 requirements; and

25 M. Other persons or entities as needed to litigate any claims or defenses
26 upon consent of the Parties. A meet and confer must be held regarding
27 any such disclosure. Consent shall not be unreasonably withheld. If the
28 Parties fail to reach consent on a disclosure that is not expressly

1 authorized under the terms of this Protective Order, the Parties hereby
2 agree that such dispute shall be resolved pursuant to the Magistrate
3 Judge's Informal Discovery Dispute Resolution Process:

4 <https://www.cacd.uscourts.gov/honorable-autumn-d-spaeth>.

5 4. The provisions of this Order shall apply to any disclosure of Plaintiff's
6 True Identity throughout the course of this Action, regardless of whether such
7 disclosure may occur through written, electronic, or oral means. Plaintiff's True
8 Identity may not be disclosed or used for any other purpose other than litigating this
9 action.

10 5. The Parties and any non-parties shall redact from all public filings all
11 identifying information of Plaintiff, including: (i) name and aliases; (ii) names of
12 family members; (iii) date of birth; (iv) social security number or other government-
13 issued identification numbers; (v) addresses; (vi) phone numbers; (vii) photographs
14 or other images; (viii) physical descriptors; (ix) medical records; and (x) social
15 media or other online accounts, including accounts on Pornhub, Redtube, or other
16 sites owned by Defendants. Upon the filing of a redacted document, the filing party
17 must simultaneously file an unredacted copy under seal and provide an unredacted
18 copy to the other party. This order shall constitute the specific court order required
19 for filing under seal pursuant to Local Rule 79-5.2.2. In other words, the parties
20 need not file a further administrative motion prior to each filing under seal pursuant
21 to this Protective Order. For avoidance of doubt, redactions should not be applied to
22 the documents exchanged in discovery between the parties on the basis of this
23 Protective Order.

24 6. To the extent any Party or non-party has questions or concerns about
25 whether any forthcoming filing complies with the requirements of this Order, such
26 party or nonparty should seek leave of Court prior to submitting any such filing.

27
28 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

1 DATED: November 8, 2024

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16 DATED: November 8, 2024

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26 DATED: November 8, 2024

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10 DATED: November 8, 2024

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28 DATED: November 8, 2024

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12 DATED: November 8, 2024

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28 *Attorneys for Defendant Colbeck*
Capital Management, LLC

1 **FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.**

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3 DATED:

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Honorable Autumn D. Spaeth
5 United States Magistrate Judge
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EXHIBIT A

AGREEMENT TO BE BOUND BY PROTECTIVE ORDER

I, _____ [print or type full name], of
_____ [print or type full address], declare under penalty of perjury
that I have read in its entirety and understand the Stipulated Pre-Trial Protective
Order as to the Identity of Plaintiff K.A. that was issued by the United States District
Court for the Central District of California in the case of *K.A. v. MindGeek S.A.R.L.
et al.*, Case No. 2:24-cv-04786-WLH-ADS. I agree to comply with and to be bound
by all the terms of this Order, and I understand and acknowledge that failure to so
comply could expose me to sanctions and punishment in the nature of contempt. I
solemnly promise that I will not disclose in any manner any information or item that
is subject to this Order to any person or entity except in strict compliance with the
provisions of this Order.

I further agree to submit to the jurisdiction of the United States District Court
for the Central District of California for the purpose of enforcing the terms of this
Order, even if such enforcement proceedings occur after termination of this action.

I hereby appoint _____ [print or type full name] of
_____ [print or type full address and
telephone number] as my California agent for service of process in connection with
this action or any proceedings related to enforcement of this Order.

Date: _____

City and State where sworn and signed: _____

Printed name: _____

Signature: _____